IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

WP(C).No. 24439 of 2007(H)

PETITIONER:

WILSON.J.MANGALAM, MANGALATHIL,
IVTH CROSS ROAD, MAVELI NAGAR, CUSAT POST OFFICE,
ERNAKULAM.

BY ADV. SRI.B.RAMAN PILLAI
SRI.R.ANIL
SRI.ANIL K.MOHAMMED

RESPONDENTS:
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1. **STATE OF KERALA REPRESENTED BY THE SECRETARY TO THE GOVERNMENT, DEPARTMENT OF FOOD AND CIVIL SUPPLIES, SECRETARIATE, THIRUVANANTHAPURAM.**

2. **KERALA STATE CIVIL SUPPLIES CORPORATION LTD., MAVELI BHAVAN, ERNAKULAM REPRESENTED BY THE MANAGING DIRECTOR,. KERALA STATE CIVIL SUPPLIES COROPORATION LTD.**

3. **THE MANAGING DIRECTOR, KERALA STATE CIVIL SUPPLIES CORPORATION LTD., MAVELI BHAVAN, ERNAKULAM.**

4. **THE DEPUTY TAHSILDAR (RR), KANAYANNUR TALUK, ERNAKULAM.**

BY ADV. SMT.MOLLY JACOB,SC,SUPPLYCO
GOVERNMENT PLEADER SRI.P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 24439 OF 2007
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Dated this the 13th day of August, 2007

J U D G M E N T

Petitioner was an Assistant Taluk Supply Officer, who was on deputation to the 2nd respondent. As he got involved in a criminal case and had suffered conviction under the Prevention of Corruption Act, he was dismissed from the service of the respondents. Meantime, Ext.P1 memo of charges was issued, alleging that he had committed certain misconducts resulting in loss to the Corporation. However, in view of the pendency of the criminal case, by Ext.P2 order of the 3rd respondent, the disciplinary proceedings were deferred and it was subsequent to that he suffered conviction from the Criminal court. It is stated that his appeal against conviction is pending in this Court, with an

order suspending sentence. It is stated that Exhibits P3 and P3(a) revenue recovery notices have been issued for recovery of the alleged loss of Rs.11,83,669/-, together with other charges. Thereupon, he submitted Ext.P4 mainly contending that there has not been any enquiry with notice to him nor was there any proceedings quantifying his liability, if any.

2. Standing counsel for respondents 2 and 3 submits that Ext.P4 has been received by the 3rd respondent and is pending consideration.

3. Taking into account the grievance of the petitioner as mentioned above and the fact that Ext.P4 has been submitted to the 3rd respondent, I dispose of this writ petition directing the 3rd respondent to consider and pass orders on Ext.P4 as expeditiously as possible, at any rate

within a period of two months from the date of receipt of a copy of this judgment. Petitioner shall be given notice before decision taken as above. It is directed that in the meanwhile Exhibits P3 and P3(a) revenue recovery proceedings shall be kept in abeyance and shall not be enforced.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp